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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/387,616	08/31/1999	DAN KIKINIS	P3233D1	2803

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CENTRAL COAST PATENT AGENCY  
PO BOX 187  
AROMAS, CA 95004

EXAMINER

KNOWLIN, THJUAN P

ART UNIT	PAPER NUMBER
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2642

DATE MAILED: 01/14/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

FN

**Office Action Summary**

Application No.

09/387,616

Applicant(s)

KIKINIS ET AL.

Examiner

Thjuan P Knowlin

Art Unit

2642

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 26 September 2002.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 August 1999 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                             | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other:  |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
2. Claims 1-25 are rejected under 35 U.S.C. 102(e) as being anticipated by Miloslavsky (US 5,946,387).
3. In regards to claims 1, 8, 15, 20, 22, and 23, Miloslavsky discloses a method and system for establishing a remote agent station from a call center, comprising steps of:  
(a) establishing a data link between a computer platform at the remote agent station (call center 121 and/or 122) and a CTI processor (processor 208) connected to a telephony switch (SCP 101) at the call center (network 100) (Fig. 1, col. 4-5 lines 65-6, col. 5 lines 57-67); (b) determining to switch a selected one of the incoming calls to an agent at the remote agent station (col. 5 lines 42-56 and col. 6 lines 1-14); (c) retrieving data associated with the selected incoming call from a database at the call center (col. 6 lines 15-22); (d) forwarding the data associated with the selected incoming call to the computer platform at the remote agent station via the data link (col. 12-13 lines 62-5 and col. 13 lines 25-37 and lines 46-57); placing a call from the call center to a telephone at the remote telephone agent station; and switching the selected incoming call to the remote agent station (col. 3 lines 52-62, col. 4 lines 5-12, and col. 8 lines 49-53).

4. In regards to claims 2 and 9, Miloslavsky discloses the method, wherein the CTI processor at the call center and the computer platform at the remote agent station each have a modem connected by a telephony line to a telephony network, and in step (a) the data link is established by the computer platform dialing up the CTI processor through the telephony network (Fig. 1, col. 2 lines 40-50, and col. 4-5 lines 65-10).
5. In regards to claims 3, 10, 16, and 24, Miloslavsky discloses the method and system, wherein the telephony network is a publicly-switched telephony network (element 100) (Fig. 1, col. 1 lines 57-64, and col. 6 lines 37-46).
6. In regards to claims 4, 11, and 25, Miloslavsky discloses the method, wherein the CTI processor at the call center is adapted as an Internet server, and in step (a) the data link is established by the computer platform at the remote agent station dialing up an Internet service provider and establishing an Internet connection to the CTI processor (col. 9 lines 3-22 and col. 11-12 lines 62-17).
7. In regards to claims 5, 6, 12, 13, 17, and 18, Miloslavsky discloses the method, wherein in step (a) the data forwarded is displayed as a screen pop on a video display connected to the computer platform at the remote agent station (col. 8 lines 49-53 and col. 13 lines 46-57).
8. In regards to claims 7, 14, and 19, Miloslavsky discloses the method, wherein first control routines executing at the CTI processor and second control routines executing at the computer platform at the remote agent station are adapted to cooperate over the data link to provide call center services to the agent at the remote agent station (col. 2 lines 40-61 and col. 11-12 lines 62-3).

9. In regards to claim 21, Miloslavsky discloses the system, wherein the data connection is established prior to a first call being switched to the remote agent station, and is maintained open thereafter as further calls are switched to the remote agent station (col. 12-13 lines 62-5 and col. 13 lines 25-37 and lines 46-47).

### ***Response to Arguments***

10. Applicant's arguments filed September 26, 2002 have been fully considered but they are not persuasive. In response to Applicant's concerns relating to the teachings of Miloslavsky to Applicant's claim language, Examiner is relating call center 121 and/or 122 of Miloslavsky to the remote agent station of Applicant's invention, and SCP 101 to the telephony switch at the call center of Applicant's invention. Network 100 of Miloslavsky performs the same functions as that of Applicant's claimed call center. Network 100 receives an incoming call and switches the incoming call to a remote agent station (call center 121 and/or 122), via telephony lines (col. 5 lines 57-67). Applicant states that the present invention "teaches a structure wherein remote agent stations are established in a separate physical location from the call center via a telephony (PSTN) connection....", and that the "agents are not remote from the call center in the Miloslavsky reference." Examiner respectfully disagrees with this argument. Miloslavsky does teach and disclose the agents as being remote from the call center (Fig. 1, col. 3 lines 52-62, and col. 4 lines 5-16).

### ***Conclusion***

11. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

12. A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thjuan P Knowlin whose telephone number is (703) 308-1727. The examiner can normally be reached on Mon-Fri 8:00-4:30pm.

14. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on (703)305-4731. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

15. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.

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Thjuan P. Knowlin  
January 6, 2003

*Harry S. Hong*

**HARRY S. HONG  
PRIMARY EXAMINER**